

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

## S.J. AMOROSO CONSTRUCTION CO., INC.,

Plaintiff,

No. C 09-4197 PJH

V.

## ORDER

LIBERTY SURPLUS INSURANCE  
CORPORATION,

Defendant.

18 The court is in receipt of the chambers copies of defendant Liberty Surplus  
19 Insurance Corporation's motion for leave to file an amended answer and amended  
20 counterclaim, and supporting papers. The Request for Judicial Notice ("RJN") and the  
21 Declaration of Jay A. Christofferson, both filed in support of defendant's motion, are not in  
22 usable format

23 A document is in usable format if it is usable for the purpose for which it is submitted  
24 to the court. The RJD is not in usable format because it consists of a thick stack of loose  
25 paper, fastened only with a binder clip, which will in all likelihood become unfastened if the  
26 court attempts to review the contents of the document. In addition, the RJD includes  
27 numerous untabbed exhibits. The court is unable to locate exhibits in a thick document if  
28 they are not tabbed. Similarly, the Christofferson Declaration is not in usable format.

1 because it also contains numerous untabbed exhibits.

2 The court will consider the contents of these documents only if copies in usable  
3 format are submitted no later than May 11, 2010.

4

5 **IT IS SO ORDERED.**

6 Dated: May 10, 2010



7 PHYLIS J. HAMILTON  
8 United States District Judge